

**NONIMMIGRANT VISA SERVICES
U.S. EMBASSY BAGHDAD
CONSULAR SECTION**

The U.S. Embassy Baghdad Consular Section is authorized to accept visa applications only for official travel and participation in U.S. Government (USG)-funded educational and cultural exchange programs. Specifically, we are authorized to accept the following categories of applications:

All categories of “**A**” applications. This classification includes heads of state and individuals accredited to serve as full-time employees at a permanent diplomatic post; individuals traveling on governmental orders to perform official duties (attend international meetings or conferences); and personnel at any rank of foreign armed services coming to the U.S. for training or education at any of the U.S. military schools.**

All categories of “**G**” applications. These travelers are representatives of a recognized government traveling permanently or temporarily to the U.S. to represent their government at meetings of a designated international organization. It also includes employees of international organizations.

Travelers on “**J**” visas participating in an exchange visitor program administered by the Department of State.

*** Please note that purpose of trip defines the visa classification. Simply because an individual is an Iraqi government employee does not automatically entitle the individual to an A visa. Qualification for A-1 or A-2 classification is determined by the purpose for which the alien seeks to enter the United States and the nature of the official duties the alien will perform while there. Therefore, the fact that an alien is an official or employee of a foreign government or is the holder of a diplomatic, official, or service passport does not in itself, except for a head of state or head of government, qualify the alien for an A-1 or A-2 visa. The fact that there may be government interest or control in a given organization is not in itself controlling on the matter of A-2 entitlement. There must be some further evidence showing that the particular duties or services to be performed by the applicant are themselves of an inherently governmental character or nature. Often governmental employees will be traveling on a B-1 visa.*

If an applicant does not fall into one of these categories of travelers, the applicant must apply outside of Iraq. Any U.S. diplomatic post that currently processes visa applications will accept visa applications from Iraqi citizens or residents of Iraq who can personally appear at that post. Most applicants choose to apply at

the U.S. Embassy in Amman, Jordan. For more information, please consult their website at <http://usembassy-amman.org.jo/>

VISA APPLICATION SUBMISSION:

USG/IIG sponsors should make every effort to identify all visa applicants at least **two months** in advance of the intended arrival date in the U.S. to allow for required administrative processing. This processing is mandatory in every case, and cannot be waived or expedited.

Visa application forms are available from the State Department and Embassy websites or from the Consular office. The instructions should be followed carefully and exactly. To ensure the fastest possible adjudication the application form should be filled out completely, accurately and legibly. We highly encourage the use of the online applications forms because they allow for quicker processing and minimize errors. These forms can be found at <http://www.unitedstatesvisas.gov/visiting2.html>.

- Application forms that are incomplete, illegible or improperly filled out will not be accepted and processing of the case will be delayed until the application is complete.
- **EVERY** block must be filled in. If appropriate, the block should be marked "none" or "N/A." Forms containing questions that are not answered, marked ambiguously, or inappropriately responded to with "N/A" will be returned to the submitting office and processing of the case will be delayed.
- USG sponsors should encourage applicants to be candid in all responses, particularly questions regarding membership in the Ba'ath Party and prior military service and training. Less than complete responses to these questions frequently cause processing delays.

Applicants for visas other than A and G categories are **required by U.S. law** to personally appear before a U.S. consular officer. *USG/IIG sponsors must facilitate the personal appearance of the applicant at the time of initial application.* Completed visa applications should be delivered by the USG/IIG sponsor to the U.S. consular office located in the lower level of the Embassy Building (C-135). The U.S. consular office will accept applications and interview applicants, if required by law, Sunday through Thursday from 9:00 a.m. to 11:00 a.m. Other times can be arranged by special appointment at least 48 hours in advance by calling 240-553-0584, extension 5489 or emailing usconsulbaghdad@state.gov.

The U.S. consular officer will review each application to ensure it is complete and meets the requirements set forth in this procedure, and, if required by U.S. law, interview the applicant at the time of application. Incomplete applications and

those that do not meet the requirements will be returned for correction and processing of the case will be delayed.

The following items for each traveler:

1. **Completed Visa Application Forms DS 156, DS 157 and DS 158 (if applicable), as well as the Guide to Completing the DS 157.** These are available at the following websites: <http://www.unitedstatesvisas.gov/visiting2.html> or <http://iraq.usembassy.gov/>. The USG/IIG sponsor and the applicant are responsible for reviewing the visa application to ensure completeness, accuracy and legibility. The consular staff will **not** fill out forms or make corrections.
2. **A photograph of the visa applicant taken within the past six months.** The photograph must/must be 2x2 inches with a white background, with the applicant facing the camera directly. Photographs with red or blue backgrounds that are not 2x2 inches will not/not be accepted. The applicant should not be looking down or to either side, and the face should cover about 50 percent of the area of the photo. The ears should be exposed. For women wearing a head-cover, the face should be fully exposed, revealing the hairline at the top of the forehead, the face on each side to the hairline, and the entire jaw and chin. All visa photos must meet these requirements.
3. A copy of the visa applicant's **passport**, valid for at least **six months** from the date the travel will be concluded. Additionally, a copy of the applicant's **Civil Identity Card** MUST be included with the passport.
4. For official travel by Iraqi government employees who qualify for an "A" or "G" visa, a **diplomatic note** from the Protocol Office of the Iraqi Foreign Ministry is also required.
5. If the applicant has previously traveled to the U.S., the applicant must present an original or copy of the **previous visa**. If this is not possible, the applicant must state the visa type, date and place of issue as well as the name in which the visa was issued.
6. **Machine Readable Visa (MRV) fee of \$100.** This fee is waived only for A and G visa applicants, USG employees traveling on official business, and participants in official USG-sponsored educational and cultural exchanges. All others must pay the \$100 MRV fee before the application will be accepted.
7. If applicable, documentation regarding funding.

- a. Completed "Request for USG/IIG Sponsored Travel to the U.S." signed by the USG/IIG sponsor for travelers funded by the U.S. or IIG.
 - b. DS 2019 for J visa applicants.
8. In some cases, a full set of fingerprints will be required as part of the required administrative processing. In those cases an additional fee of \$85 must be collected before the application will be processed.

VISA PROCESSING:

After the application is submitted and the applicant is interviewed, the consular officer will inform the applicant and sponsor if additional processing is necessary. If no additional processing is required and the visa is approved, the applicant may leave his passport with the officer. The visa will be printed in the next few days. The applicant or sponsor will be notified that the passport and visa are ready for pick up. Applicants who require additional administrative processing may choose to leave their passports or submit them at a later date when processing is complete. This can take a minimum of 45 days. Once the process is complete, the U.S. consular officer in Baghdad will notify the contact on the application that the visa is approved. If the passport is not at the Embassy, the sponsor will need to bring it to the Consular section before the visa can be printed.

VISA APPLICANTS NOT COVERED UNDER THESE PROCEDURES:

Since only the procedures for visa classifications listed above are currently in place in Iraq at this time, Iraqi citizens and other nationals residing in Iraq who do not qualify for this process must apply for a U.S. visa outside of Iraq. Information on the application procedures in effect at a specific post is available on that post's website or via <http://travel.state.gov/>.

For more information about applying for a visa to the U.S., please visit the State Department's website at <http://www.unitedstatesivsas.gov/index.html>.

US IMMIGRATION LAW

Section 214(b) of the Immigration and Nationality Act provides that every visa applicant is presumed to be an immigrant until he or she establishes entitlement to nonimmigrant status. There is no waiver of this ground of ineligibility, although certain exemptions exist for some A and G applicants. The determination that the alien is not a nonimmigrant can be made only on the basis of the facts existing at the time of a specific visa application. The determination of an alien's classification and eligibility to receive a visa is the statutory responsibility of the consular officer and may not be delegated to any other officer or to a member of the clerical staff. The fact that a visa applicant was unable to establish nonimmigrant status at one time would not preclude such applicant from subsequently qualifying for a visa by showing a change in circumstances.

CONTACT INFORMATION

Please direct any questions about these procedures, U.S. visa regulations, and individual visa applications, to Amy Hood, U.S. consular officer in Baghdad (office: 1-240-553-0584 (Ext. # 5489), email: usconsulbaghdad@state.gov).